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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 HYDRO-BLOK USA LLC, et al.,  
9 Plaintiffs,

10 v.

11 WEDI CORP.,

12 Defendant,

13 v.

14 HYDROBLOK INTERNATIONAL  
15 LTD.,

16 Counter-defendant.

C15-671 TSZ

MINUTE ORDER

17 WEDI CORP.,

18 Plaintiff,

19 v.

20 BRIAN WRIGHT, et al.,

21 Defendants.

22 The following Minute Order is made by direction of the Court, the Honorable  
23 Thomas S. Zilly, United States District Judge:

(1) wedi Corp.'s motion, docket no. 225, to clarify, or for reconsideration of,  
the Minute Order entered December 6, 2018, docket no. 219, is DENIED.

(a) The Minute Order at issue makes clear that experts "disclosed" in  
this matter on or before November 13, 2018, will be considered timely disclosed  
and will be permitted to testify at trial. Federal Rule of Civil Procedure 26(a)(2)  
sets forth the standards for "disclosure" of expert testimony. No clarification is  
required.

1 (b) With respect to its request for reconsideration, wedi Corp. has not  
2 articulated any manifest error in the prior ruling or any new facts or legal authority  
3 that could not have been brought to the Court's attention earlier with reasonable  
4 diligence. See Local Civil Rule 7(h)(1). wedi Corp.'s contention that it "held off"  
5 disclosing Jeffery A. Stec, Ph.D. as an expert in support of its claims (as opposed  
6 to in rebuttal concerning its opponents' claims) to avoid "running afoul" of the  
7 Minute Order entered October 26, 2018, docket no. 181, in which the parties were  
8 reminded that the expert disclosure deadline was March 30, 2018, does not ring  
9 true. In its motion for extension, docket no. 202, wedi Corp. took the position  
10 that, pursuant to Federal Rule of Civil Procedure 26(a)(2)(D)(i), the deadline for  
11 expert disclosure was November 13, 2018 (*i.e.*, 90 days before the trial date),  
12 instead of the date previously set by the Court. wedi Corp. did not comply with  
13 this (now adopted) deadline, not because it thought doing so would violate the  
14 Minute Order issued on October 26, 2018, but because it was hoping for an  
15 extension to the end of December 2018 or later. In choosing such path, wedi  
16 Corp. ignored the advice of Local Civil Rule 7(j), which states, "Parties should not  
17 assume that the motion [for extension] will be granted and must comply with the  
18 existing deadlines unless the court orders otherwise."

19 (2) The Clerk is DIRECTED to send a copy of this Minute Order to all counsel  
20 of record.

21 Dated this 18th day of December, 2018.

22 William M. McCool  
23 Clerk

s/Karen Dews  
Deputy Clerk